



# THE SUQUAMISH TRIBE

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May 19, 2006

Municipal Stormwater Phase II Western Washington  
Washington Department of Ecology  
Water Quality Program  
P.O. Box 47696  
Olympia, WA 98504-7696

Department of Ecology  
Water Quality Program  
MAY 22 2006

**RE: Final Draft NPDES and State Waste Discharge Permit,  
Small Municipal Separate Storm Sewers,  
Western Washington Phase II**

Dear Reviewer:

The Suquamish Tribe appreciates the opportunity to comment on the final draft NPDES and State Waste Discharge Permit for Small Municipal Separate Storm Sewers in Western Washington (the Phase II Permit for Western Washington). The Suquamish Tribe is a party to the 1855 Treaty of Point Elliott, which guarantees the Tribe the right to harvest fish and shellfish resources within a large area of Puget Sound.

Stormwater is a leading contributor to water quality pollution in our urban waterways, and the Suquamish Tribe believes that requiring NPDES and state waste discharge permits for all municipal storm water outfalls is a step in the right direction to address this problem. Stormwater and wastewater pollution have resulted in the Washington Department of Health closing many areas to the harvest of shellfish. Therefore, the Suquamish Tribe recommends and requests that the permit issuance and renewal process include measures to avoid, minimize, and mitigate for shellfish harvesting restrictions associated with stormwater discharges. It is recommended that this process include: (1) an evaluation of a shellfish closure zone determined by Washington Department of Health that is caused in part or whole by each stormwater discharge, (2) an evaluation of alternatives to avoid or minimize the shellfish closure zone, and (3) a mitigation agreement between the permit applicant and the affected tribes for any unavoidable shellfish harvesting restrictions that result from the stormwater discharges.

Thank you again for the opportunity to comment. Please do not hesitate to contact me at 360-394-8442 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard Brooks".

Richard Brooks  
Environmental Program Manager